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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.777 of 2007

M/s.Amco Metal Industries...Petitioner

Vs.

The Additional Commissioner
(Central Excise) & Ors. .....Respondents

Mr. Mathews Nedumpara for the Petitioner
Ms. S.V. Bharucha with Mr. R.C. Master for Respondents

CORAM: F.I. REBELLO &
J.P.DEVADHAR,JJ.
DATED: 2ND AUGUST, 2007

P.C.:

. The petitioner has an adequate and alternate efficacious remedy by way of an Appeal provided by the statute itself. In these circumstances we are not inclined to exercise our extra ordinary jurisdiction. It will be open to the petitioner to prosecute the remedy at law, to which he is entitled to. With the above observations petition disposed of.

2. Petitioner apprehends that the legal issues that he will be raising will not be considered by the Tribunal. We fail to understand this apprehension as every authority created under the law is bound to hear and dispose of the legal contentions as raised before it.

3. Learned Counsel for the petitioner seeks stay of the impugned order. In our opinion no case made out for stay. Hence application for stay rejected.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**